Assessment of application against relevant Development Codes

APPLICATION DETAILS

APPLICATION		PREMISES	
FILE NO:	MCU/24/0015	**ADDRESS:**	2-8 Karobean Drive, Mareeba
APPLICANT:	BTM&S Stankovich Pty Ltd	**RPD:**	Lot 2 on SP298298
LODGED BY:	Freshwater Planning Pty Ltd	**AREA:**	8,299m2
DATE LODGED:	12 August 2024	**OWNER:**	BTM&S Holdings Pty Ltd
TYPE OF APPROVAL:	Development Permit		
PROPOSED DEVELOPMENT:	Material Change of Use – (Business and Shops)		
PLANNING SCHEME:	Mareeba Shire Council Planning Scheme 2016 & Preliminary Approval REC/08/0012		
ZONE:	Low Density Residential zone Hastie Road Business zone		
LEVEL OF ASSESSMENT:	Code Assessment		
SUBMISSIONS:	n/a		

Relevant Development Codes

The following Development Codes are considered to be applicable to the assessment of the application:

Hastie Road Business Zone Code
Part 6 Division 5 - Carparking code
Part 6 Division 15 - Landscaping code
6.2.6 Low density residential zone code
7.2.2 Mareeba local plan code
8.2.2 Airport environs overlay code
9.3.2 Commercial activities code
9.4.5 Works, services and infrastructure code

Division 1 – Assessment Tables for Hastie Road Business Zone

1.1 Assessment categories for Hastie Road Business zone

The Assessment categories[1] are identified for development in the Hastie Road Business zone in column 2 of tables 1 and 2 as follows-

(a) Table 1 - making a material change of use[2] for a defined use, listed in column 1; or

(b) Table 2 - other development[3] listed in column 1, including:

(i) carrying out building work not associated with a material change of use;

(ii) excavation or filling of land;

(iii) reconfiguring a lot;

(iv) carrying out operational work associated with reconfiguring a lot.

1.2 Relevant assessment criteria for self-assessable development and assessable development in the Hastie Road Business zone

(1) The relevant Assessment criteria in the Hastie Road Business zone are referred to in column 3 of tables 1 and 2.

(2) For self-assessable development and development requiring code Assessment, the relevant Assessment criteria are applicable codes.

(3) If the provisions for self-assessable development are not met then development is code assessable.

1.3 Uses consistent or inconsistent with the outcomes sought for the Hastie Road Business zone

(1) In accordance with section 1.12, a defined use that is inconsistent with the outcomes sought for the Hastie Road Business zone is noted in column 1 of Table 1.

(2) If a defined use is not noted as inconsistent in column 1 of Table 1, it is a consistent use in accordance with section 1.13.

1.4 Special Facilities Development

Prior to the Commencement date, certain premises in the Shire were subject to Special Use and Special Development rezoning approvals. It is intended that development of the premises identified on the Zoning Plans and Schedule 5 may proceed in accordance with the requirements of the approvals listed in that schedule.

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1 Information about Assessment categories is provided in the Mareeba Shire Planning Scheme User's Guide

2 Works associated with an application for a material change of use may be assessed together with the material change of use. Also, see Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

3 See Mareeba Shire Planning Scheme Explanatory Notes giving examples that explain the type of development involved in different proposals.

TABLE 1

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR HASTIE ROAD BUSINESS ZONE—MAKING A MATERIAL CHANGE OF USE

Note-

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 Defined use[4]	Column 2 Assessment category	Column 3 Relevant assessment criteria[5]—applicable code if development is self-assessable or requires code assessment
Abattoir- inconsistent use	**Impact Assessment**	
Accommodation units	**Impact Assessment**	
Adult product shop	**Impact Assessment**	
Agribusiness- inconsistent use	**Impact Assessment**	
Agriculture- inconsistent use	**Impact Assessment**	
Agriculture - intensive- inconsistent use	**Impact Assessment**	
Aircraft facility- inconsistent use	**Impact Assessment**	
Animal husbandry – general- inconsistent use	**Impact Assessment**	
Animal husbandry – intensive- inconsistent use	**Impact Assessment**	
Aquaculture (minor impact)	**Impact Assessment**	

[4] See Part 7, Schedule 3 - defined uses

[5] For impact assessable development, 'relevant assessment criteria' are provided to assist the preparation of an application and in no way affect the regard given to the planning scheme as a whole in accordance with section 3.5.5 of the IPA.

Column 1 Defined use[4]	Column 2 Assessment category	Column 3 Relevant assessment criteria[5]— applicable code if development is self-assessable or requires code assessment
Aquaculture (significant impact)- inconsistent use	**Impact Assessment**	
Bed and breakfast accommodation- inconsistent use	**Impact Assessment**	
Bulk store- inconsistent use	**Impact Assessment**	
Business	**Code Assessment** if the Gross Floor Area is 3,000 square metres or less. **Impact Assessment** if the criteria for code assessment does not apply.	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Car park	**Code Assessment**	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15))
Caretaker's residence	**Code Assessment**	Caretaker's residence code (Part 6 Division 22)
Caravan park- inconsistent use	**Impact Assessment**	
Child care centre	**Code Assessment**	Child care centre code (Part 6 Division 6) Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Communication facility	**Code Assessment**	Communication facilities code (Part 6 Division 7) Hastie Road Business zone code
Community facility	**Code Assessment**	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Drive through fast food outlet	**Impact Assessment**	

Column 1 Defined use[4]	Column 2 Assessment category	Column 3 Relevant assessment criteria[5]—applicable code if development is self-assessable or requires code assessment
Dwelling house- inconsistent use	**Impact Assessment**	
Educational establishment	**Impact Assessment**	
Extractive industry- inconsistent use	**Impact Assessment**	
Forestry- inconsistent use	**Impact Assessment**	
Freight depot- inconsistent use	**Impact Assessment**	
Heliport- inconsistent use	**Impact Assessment**	
Home business	**Self Assessment**	Home business code (Part 6 Division 10)
Home occupation	**Self Assessment**	Home occupation code (Part 6 Division 9)
Hospital	**Impact Assessment**	
Host farm- inconsistent use	**Impact Assessment**	
Hotel	**Impact Assessment**	
Indoor recreation facility	**Impact Assessment**	
Industry- inconsistent use	**Impact Assessment**	
Institution- inconsistent use	**Impact Assessment**	
Light industry- inconsistent use	**Impact Assessment**	
Liquid fuel depot- inconsistent use	**Impact Assessment**	
Material recycling facility-	**Impact Assessment**	

Column 1 Defined use[4]	Column 2 Assessment category	Column 3 Relevant assessment criteria[5]— applicable code if development is self-assessable or requires code assessment
inconsistent use		
Motel	**Impact Assessment**	
Motor home park inconsistent use	**Impact Assessment**	
Motor showroom - light	**Impact Assessment**	
Motor showroom - heavy	**Impact Assessment**	
Noxious, offensive or hazardous industry inconsistent use	**Impact Assessment**	
Outdoor sport and entertainment facility	**Impact Assessment**	
Passenger transport terminal	**Impact Assessment**	
Place of worship	**Impact Assessment**	
Plant hire facility	**Impact Assessment**	
Plant nursery	**Impact Assessment**	
Residential units	**Impact Assessment**	
Restaurant	**Code Assessment**	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Retirement village	**Impact Assessment**	
Roadside stall inconsistent use	**Impact Assessment**	
Road transport terminal	**Impact Assessment**	
Rural industry Inconsistent use	**Impact Assessment**	
Sawmill inconsistent use	**Impact Assessment**	

Column 1 Defined use[4]	Column 2 Assessment category	Column 3 Relevant assessment criteria[5]—applicable code if development is self-assessable or requires code assessment
Service station	**Impact Assessment**	
Shop	**Code Assessment** if the Gross Floor Area is 3,000 square metres or less. **Impact Assessment** if the criteria for code assessment does not apply.	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Stock selling centre inconsistent use	**Impact Assessment**	
Tourist facility	**Impact Assessment**	
Transport depot inconsistent use	**Impact Assessment**	
Utility installation	**Code Assessment**	Hastie Road Business zone code
Vehicle repair station	**Impact Assessment**	
Veterinary clinic	**Code Assessment**	Hastie Road Business zone code Carparking code (Part 6 Division 5) Landscaping code (Part 6 Division 15)
Warehouse	**Impact Assessment**	
Waste management facility inconsistent use	**Impact Assessment**	
Workers cottage inconsistent use	**Impact Assessment**	
All other uses not defined except use for a road[6]	**Impact Assessment**	

TABLE 1

ASSESSMENT CATEGORIES AND RELEVANT ASSESSMENT CRITERIA FOR HASTIE ROAD BUSINESS ZONE—OTHER DEVELOPMENT

[6] Roads are included in a zone but use for a road is not defined. The table is indicating that use for a road remains exempt under the planning scheme.

Note-

- Assessment categories may also be affected by Overlays. See Part 5 Overlays to determine whether the land is affected.
- Planning scheme policies 3 and 8 indicate when the local government may undertake consultation or seek further information from the applicant about an application.
- If the provisions for self assessable development is not met then development is code assessable.

Column 1 **Type of development**	**Column 2** **Assessment category**	**Column 3** **Relevant assessment criteria[7]- applicable code if development is self-assessable or requires code assessment**
Building work not associated with material change of use		
Carrying out building work not associated with a material change of use	**Self Assessment**	Hastie Road Business zone code
Operational work		
Excavation or filling of more than 50m³ of material	**Code Assessment**	Filling and excavation code (Part 6 Division 17)
Reconfiguring a lot		
Reconfiguring a lot	**Code Assessment**	Reconfiguring a lot code (Part 6 Division 12) Hastie Road Business zone code
Operational works associated with reconfiguring a lot		
Carrying out operational work for reconfiguring a lot	**Code Assessment**	Hastie Road Business zone code

[7] For impact assessable development, "relevant Assessment criteria" are provided to assist the preparation of an application and in noway affect the regard given to the planning scheme as a whole in accordance within section 3.5.5 of the IPA

Division 2 - Assessment Criteria for Hastie Road Business Zone

1.5 Hastie Road Business zone code

The provisions in this division comprise the Hastie Road Business zone code. They are-

- compliance with Hastie Road Business zone code (section 1.6);
- overall outcomes for Hastie Road Business zone code (section 1.7);
- specific outcomes, probable and acceptable solutions for the Hastie Road Business zone code (sections 1.8, 1.9, 1.10 and 1.11).

1.6 Compliance with Hastie Road Business zone code

Development that is consistent with the specific outcomes in sections 1.8 to 1.11 complies with the Hastie Road Business zone code.

1.7 Overall outcomes for Hastie Road Business zone code

(1) The overall outcomes are the purpose of the Hastie Road Business zone code.

(2) The overall outcomes of the Hastie Road Business zone code are to achieve an area that:

(a) Ensures that the scale of retail and other development is such that development will not have an adverse impact on the functioning and role of the Mareeba CBD as a higher order and specialist retail destination, the focus for entertainment and recreation facilities, and the ability of the CBD to provide a range of business uses and educational facilities;

(b) is accessible, convenient and safe;

(c) is attractive though the provision and maintenance of landscaping and trees;

(d) is consistent in height and character with the existing character of the locality;

(e) maintains and enhances the historic significance of the Mareeba business zone;

(f) makes effective use of land and of the services provided to enable the functioning of the zone.

1.8 Amenity, Townscape and Building Character

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 The attractiveness and amenity of the Hastie Road business zone is	PS1.1 Building height and the height of other structures does not	✔	Complies with PS1.1.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
protected and enhanced through sensitive siting of uses and buildings.	exceed 8 metres and two (2) storeys; and PS1.2 Air-conditioning, refrigeration plant, and other mechanical plant, are enclosed in a building to screen the equipment from public view.		Building height is a maximum of five (5) metres and one (1) storey. The development will be conditioned to comply with PS1.2.
S2 Development protects the amenity of the streetscape and allocates safe and unobtrusive off street parking areas	PS2.1 Vehicle unloading areas, goods storage areas, waste storage areas and outdoor equipment areas are designed and located so that they are not visible from the main street frontage; and PS2.2 Vehicle parking shall incorporate areas of landscaping, particularly for vehicle parking located between buildings and the main street frontage.	✔	The development will comply with PS2.1 PS2.2 - The parking area is located behind the proposed building. Landscaping consistent with the existing Amaroo Village carpark will be provided within the carpark extension.
S3 Development involving buildings that are set back from the main street frontage provide adequate landscaping to maintain an attractive appearance from the street.	PS3.1 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of three (3) metres in width are provided on the site adjacent to all road frontages and for the full width of the frontages (excepting building footprints and driveway and pedestrian access points);8 and PS3.2 Landscaping strips (refer to Part 6 Division 15 - Landscaping Code) a minimum of 1.5 metres in width are provided adjacent to side boundaries from the main street	n/a	Not applicable. The development is not set back from the Karobean Drive frontage. Waste storage areas will be appropriately screened from view.

[8] Refer Part 6 Landscaping Code, Div 15-Landscaping Code

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	frontage to the line of the building alignment (excepting building footprint areas); and PS3.3 Any areas used for storage of materials, equipment, rubbish and waste bins are screened from open view of any public road by a one (1) metre wide landscaping buffer (refer to Part 6 Division 15 - Landscaping Code) or a 1.8 metre high solid fence.		
S4 Development has a minimal impact upon the residential amenity of adjoining residential properties.	PS4 If adjacent to land within the Residential or Rural Residential zone, a 1.8 metre high solid fence established on the common boundary with the Residential and Rural Residential zone.	n/a	Not applicable.

1.9 Movement and Access

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
S1 Functional, safe, convenient and equitable vehicular, bicycles and pedestrian access and facilities for the particular activity.	PS1.1 Pedestrian footpath/s and pedestrian access to the development are provided in accordance with the Planning Scheme Policy 4 - Development Manual (sections D1.11 & D1.17); and PS1.2 A cantilever awning is provided over the	✔	PS1.1 – A concrete footpath is already established along the Karobean Drive frontage. PS1.2 - A cantilever awning in provided to the internal car parking area. No cantilever awning is proposed along the Karobean Drive frontage, consistent with existing development and minimising the need for street tree removal.

	entire width of the footpath or 3 metres wide, whichever is less, if the building is not setback from the road alignment, and PS1.3 A concrete kerb and channelling for the full length of the main street frontage, and any other road frontage in accordance with the Planning Scheme Policy 4 Development Manual (section D1.21); and PS1.4 The access between the existing sealed road and the kerb and channelling should be sealed in accordance with Planning Scheme Policy 4 – Development Manual D2 to the minimum width of the access at the boundary of the allotment; and **For Code Assessable Development only** PS1.5 Bicycle parking facilities are provided for in accordance with Part 14-Austroads guide to Traffic Engineering; and PS1.6 Access is in accordance with AS 1428-Design for Access and Mobility.		PS1.3 – Concrete kerbing is already established along Karobean Drive. PS1.4 – The development will use the existing access off Karobean Drive. PS1.5 – The development will be conditioned to comply. PS1.6 – The development will comply.

1.10 Impact on existing centres

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Code Assessable Development			
S1 Retail and other development shall not detract from the role of the Mareeba CBD as the primary business		✔	PS1.1 - The proposed shop/business has a GFA of 412.5m2.

zone servicing Mareeba and its associated catchment area.	PS1.1 The total gross floor[9] area of any retail (shop) unit does not exceed 3,000 square metres; and PS1.2 The total number of shops does not exceed four (4); and PS1.3 Any application proposing commercial development which would increase the cumulative commercial gross floor area of the site above 3,000 square metres shall be accompanied by a Economic Needs Assessment that demonstrates that additional commercial floorspace will not have an adverse impact on the vitality and viability of the Mareeba CBD and its role as the primary business zone servicing Mareeba and that there is a demonstrable need for additional floorspace.		PS1.2 – The scale of development being proposed is consistent with the Amaroo Village Master Plan and not large enough to adversely impact on the Mareeba CBD PS1.3 – The application is not proposing cumulative GFA in excess of 3,000m2.

1.11 Reconfiguring a Lot

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Code Assessable Development			
S1 Lots are of sufficient area and dimensions to: (i) enable the siting and construction of a building and ancillary buildings; and (ii) provide vehicle access and parking; and	PS1 Lots have a minimum area of 800m^2 and a minimum frontage of twenty (20) metres.	n/a	Not applicable. The application is not for reconfiguring a lot.

[9] For the purposes of the Hastie Road Business zone code, the definition of Gross Floor Area shall be the same as that contained in the Mareeba Shire Planning Scheme 2004.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
(iii) to allow development that is in keeping with the predominant character of the locality.			
S2 Accessible and convenient public open space is provided for the recreation and well being of the community.	PS2.1 Land for parks and recreation is provided in accordance with Planning Scheme Policy 5 - Open Space Contribution or~~.~~[10] PS2.2 A cash contribution is paid as laid out in the Planning Scheme Policy 5 - Open Space Contribution PS2.3 Access is in accordance with AS1428-Design for Access and Mobility to infrastructure associated with development of public open space for community recreation use.	n/a	Not applicable. The application is not for reconfiguring a lot.
S3 Augmentation of the road network servicing the development is provided.	PS3 A cash contribution is paid in accordance with the Planning Scheme Policy 6 - Augmentation of the Road Network[11]	n/a	Not applicable. The application is not for reconfiguring a lot.
S4 Lots are provided with an appropriate level of water and sewerage infrastructure.	PS4.1 (i) Lots are connected to reticulated water and sewerage to the standards as stated in Planning Scheme Policy 4 - Development Manual (sections D6 and D7) in towns where these services are available; and	n/a	Not applicable. The application is not for reconfiguring a lot.

[10] Refer Part 8 Planning Scheme Policy 5 - Open Space Contribution.

[11] Refer Part 8 Planning Scheme Policy 6- Augmentation of the Road Network-

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	(ii) A cash contribution is paid in accordance with the Planning Scheme Policy 2 – Headworks Charges for Water Supply and Sewerage; or PS4.2 (i) Lots are provided with a water supply in accordance with Planning Scheme Policy 1 – Water Supply (Outside Reticulated Water Supply Areas); and (ii) On site sewage disposal facilities are provided in accordance with the Plumbing and Drainage Act 2002.		
S5 Electricity and telephone are provided for each allotment.	PS5 Lots are provided with underground electricity and telephone supplies.	n/a	Not applicable. The application is not for reconfiguring a lot.

1.12 Inconsistent Uses

Specific Outcomes
Inconsistent uses are contrary to the zone outcomes sought for the Hastie Road Business Zone and comprise all uses mentioned in Column 1 of the Table of Development as **Inconsistent uses.**

1.13 Consistent Uses

Specific Outcomes
Consistent uses are consistent with the zone outcomes sought for the Hastie Road Business zone and comprise all uses NOT listed as inconsistent in Column 1 of the table of development.

Division 5 — Car Parking Code

6.1 Car Parking code

The provisions in this division comprise the Car Parking code. They are-

- compliance with Car Parking code (section 6.2);
- purpose of Car Parking code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Carparking code (section 6.4).

6.2 Compliance with Car Parking code

Development that achieves the specific outcomes in section 6.4., complies with the Car Parking code.

6.3 Overall outcomes for Car Parking code

(1) The overall outcomes are the purpose of the code.

(2) The overall outcomes sought for the Car Parking code are the following:

(a) Uses have sufficient on site car parking and bicycle spaces designated in a manner to meet the requirements of the intended user;

(b) The number of car parking spaces provided does not impact on the functioning of the surrounding road network;

(c) Vehicles and bicycles can access and move within the site in a safe and efficient manner.

6.4 Specific outcomes, probable solutions and acceptable solutions for Car Parking code

The specific outcomes sought for the Car Parking code are included in column 1 of Table 4 and the probable solutions and acceptable solutions in column 2 of Table 4.

TABLE 4

Specific Outcome	**Acceptable Solutions (self assessable) or** **Probable Solutions (code assessable)**	**Complies**	**Comments**
For Self Assessable Development			
S1 Sufficient car parking spaces are provided to accommodate the demand	AS1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.	✔	The proposed development will have access to the 81 existing car parks within Amaroo Village. A further 16 car parking spaces will be developed as part of this development.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
likely to be generated by the use[12].			The ultimate Amaroo Village development will be provided with 129 on site car parking spaces. Car parking numbers are consistent with the previously approved Amaroo Village master plan.
S2 Car parking spaces are to be of adequate size for their intended purpose.	AS2 A car parking space provided pursuant to AS1 shall have a minimum area of fifteen (15) square metres and a minimum width of two point seven five (2.75) metres.	✔	The development will comply with current standards.
S3 Adequate shade is provided for car parking areas.	AS3 Trees (see Schedule A of Planning Scheme Policy 9 – Landscaping for species) are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof.	✔	Landscaping will be provided in a manner consistent with the already developed car parking areas.
S4 The carparking area is adequately constructed and maintained.	AS4 The carparking area is compacted, sealed, drained, marked and maintained and continue as such until such time as the development ceases. Car parking sealing may include bitumen, asphalt, concrete or paving blocks, however in the Rural and Rural Residential zones may also include compacted gravel.	✔	Car parking areas will be asphalt sealed.
S5 The development provide for loading, unloading and garbage areas.	AS5.1 All unloading, loading and garbage areas are provided on the site; and	✔	The development will be conditioned to comply.

[12] For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	AS5.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.		
For Code Assessable Development			
Car Parking Design			
S6 Car parking spaces are of adequate dimensions and standard to meet user requirements.	AS6 Car parking spaces meet the design requirements of Australian Standards AS2890.1–1986 and AS2890.2–1989 (as amended) provided that the minimum car parking space width is no less than 2.6 metres.	✔	The development will be conditioned to comply.
S7 Car parking spaces are used for their intended purpose.	AS7.1 Car parking spaces are kept and used exclusively for parking and maintained in a useable condition for parking; and AS7.2 Visitor car parking spaces are accessible and available for parking at all times; and AS7.3 Disabled car parking spaces are signed posted.	✔	The development will be conditioned to comply.
S8 Adequate shade is provided for car parking areas in excess of 1,000m^2.	AS8.1 Trees that will grow to provide shade are planted throughout the car park area and around its perimeter at the rate of one (1) tree per ten (10) car parking spaces or part thereof; or AS8.2 Shade structures are provided over 40% of the car parking spaces.	✔	Landscaping will be provided in a manner consistent with the already developed car parking areas.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
Car Parking Numbers			
S9 Sufficient car parking spaces are provided to accommodate the demand likely to be generated by the use[13].	AS9.1 The number of car parking spaces provided for the use is in accordance with the Car Parking Schedule.	✔	The development will be conditioned to comply.
S10 The development provide for loading, unloading and garbage areas.	AS10.1 All unloading, loading and garbage areas are designed such that all operations are carried out on site; and AS10.2 The design of unloading, loading and garbage areas shall enable all service vehicles to enter and leave the site in a forward direction.	✔	The development will be conditioned to comply.
S11 The development provide for parking spaces in the vicinity of the development provided to accommodate the demand likely to be generated by the use[14].	AS11 Where car parking spaces cannot be provided for on the site in accordance with S4, a cash contribution is paid as laid out in the Planning Scheme Policy 7 - Carparking Cash Contribution.	n/a	Not applicable.
Bicycle Parking			
S12 Bicycle parking spaces are of adequate dimensions, standards and sufficient numbers to meet user requirements	AS12.1 Bicycle parking spaces meet the design requirements of Australian Standards AS 2890.3-2000 (as amended) and AS12.2 Bicycle parking spaces being provided for the uses	✔	The development will be conditioned to comply.

[13] For impact assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

[14] For assessable development Council may require the provision of a greater or lesser number of car parking spaces than that specified in the Schedule, having regard to the particular use.

Specific Outcome	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	is in accordance with the bicycle parking schedule.		
Movement and Access			
S13 Access is safe, functional, convenient and located in accordance with the Road Hierarchy Map R3.	AS13.1 Lots with two or more street frontages have their access on the lower class of street in accordance with Road Hierarchy Map R3; and AS13.2 Accesses are to have a minimum sight distance in accordance with Austroads Guide to Traffic Engineering Practice Part 5 Intersections at Grade; and AS13.3 All on site traffic movements are to be designed for all vehicles to enter and leave the site in a forward gear; and AS13.4 All accesses on Council roads are to be designed and constructed in accordance with the Planning Scheme Policy - 4 Development Manual.[15]	✔	Access will be via the existing approved Karobean Drive access crossover.

Carparking Schedule	
Use Category	**Minimum Number of Car Parking Spaces**
Abattoir	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m^2 GFA
Accommodation Units	One (1) space per unit or one (1) space per three (3) beds, whichever is greater
Agribusiness	One (1) space per 90m^2 GFA, plus one (1) space for delivery vehicles per 800m^2 GFA

15 Department of Main Roads must approve access to a State controlled road in writing before any work commences on site.

Carparking Schedule	
Use Category	**Minimum Number of Car Parking Spaces**
Aircraft Facility	One (1) space per 90m² GFA, plus one (1) space for delivery vehicles per 800m² GFA
Bulk Store	One (1) space per 90m^2 GFA, plus one (1) space for delivery vehicles per 800m2 GFA
Business	One (1) space per 25m^2 of GFA up to 400m^2 GFA, plus one (1) space per 15m^2 above 400m^2 GFA
Caravan Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Child Care Centre	A minimum of three (3) spaces will be required to be used for setting down and picking up of children. , plus one (1) space per ten children for staff parking
Communication Facility	Nil
Community Facility	Five (5) spaces plus one (1) space per 25m2 GFA
Drive through Fast food outlet	Fifteen (15) spaces per 100m2 GFA or one (1) space per 3 seats, whichever is greater
Educational Establishment	A minimum or 15 spaces (primary & preschool) A minimum of 10 spaces and three (3) spaces per classroom (secondary)
Extractive Industry	Nil
Freight Depot	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m2 GFA
Hazardous Industry	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m2 GFA
Heliport	Two (2) spaces per helipad
Hospital	One (1) space per 4 beds plus 20 for staff members plus one ambulance bay
Host Farm	One (1) space per guest room in addition to that required for the dwelling house
Hotel	1 space per 10m² of bar, lounge beer garden and other public area plus 1 space per 50m² of GFA of bulk liquor sales area, and one space per guest room
Indoor recreation facility *squash* *indoor cricket or other court game* *swimming* *gymnasium* *otherwise*	 Six (6) spaces per court Twenty (20) spaces per pitch or court Fifteen (15) spaces plus one (1) space per 100m2 GFA One (1) space per 10m2 GFA One (1) space per 10m2 GFA
Industry	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m^2 GFA
Institution	Two (2) spaces per three (3) staff members plus a minimum of 10 spaces for visitors
Light Industry	One (1) space per 90m^2 GFA, plus one (1) space for delivery vehicles per 800m2 GFA
Liquid Fuel Depot	One (1) space per 90m^2 GFA, plus one (1) space for delivery vehicles per 800m² GFA
Material Recycling Facility	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m2 GFA
Motel	One (1) space per unit
Motor Home Park	Eleven (11) spaces per 10 sites plus one (1) space per 10 sites as visitor spaces
Motor Showroom -Light	One (1) space per 50m2 GFA
Motor Showroom-Heavy	One (1) space per 50m2 GFA
Noxious Or Offensive Industry	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m² GFA
Outdoor Sport And Entertainment Facility	

Carparking Schedule	
Use Category	**Minimum Number of Car Parking Spaces**
Coursing house racing, pacing or trotting, motor sport *Football* *Lawn Bowls* *Swimming* *Tennis* *Court games* *Otherwise*	One (1) space per 5 persons to be seated plus one (1) space per 5m² of spectator area. Fifty (50) spaces per field Thirty (30) spaces per green Fifteen (15) spaces plus one (1) space per 100m² of site area Six (6) spaces per court Twenty (20) spaces per court No prescribed solution
Passenger Transport Terminal	One (1) space per 30m² of GFA
Place Of Worship	One (1) space per ten (10) seats or one (1) space per 15m² of GFA, whichever is greatest.
Plant Hire Facility	One (1) space per 30m² of GFA
Plant Nursery	One (1) space per 30m² of GFA
Recreation Facility	As per requirement for Outdoor Sport And Entertainment Facility or Indoor recreation facility
Registered Club	One (1) space per 15m² GFA
Residential Units	One (1) covered space per unit and one(1) additional space per two units
Restaurant	Fifteen (15) spaces per 100m² GFA or one (1) space per 3 seats, whichever is greater
Retirement Village	One (1) space per 6 nursing home beds; or One (1) space per 4 hostel unit bed; or One (1) space per self contained unit; Plus One (1) space for an ambulance bay Plus visitor parking at the rate of 50% of resident parking requirements
Roadside Stall	One (1) space per 25m² GFA
Road Transport Terminal	One (1) space per 50m² GFA
Rural Industry	One (1) space per 90m² GFA, plus one (1) space for delivery vehicles per 800m² GFA
Sawmill	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m² GFA
Secondary dwelling	One (1) space per dwelling house plus one space for the secondary dwelling
Shop	One (1) space per 25m² of GFA up to 400m² GFA, plus one (1) space per 15m² above 400m² GFA
Service Station	Six (6) spaces plus one (1) space per 25m² GFA for any shop component
Stock Selling Centre	One (1) space per 25m² of GFA up to 400m² GFA, plus one (1) space per 15m² above 400m² GFA
Tourist facility	One (1) space per 25m² of GFA up to 400m² GFA, plus one (1) space per 15m² above 400m² GFA, unless otherwise defined in the code
Transport Depot	One (1) space per 50m² GFA
Utility Installation	Nil
Vehicle Repair Station	One (1) per 50m² GFA
Veterinary Clinic	One (1) space per 25m² of GFA
Warehouse	One (1) space per 90m² GFA, plus one (1) space for delivery vehicles per 800m² GFA
Waste Management Facility	One (1) space per 90m2 GFA, plus one (1) space for delivery vehicles per 800m² GFA
Workers Cottage	One (1) space per dwelling house plus one space per guest room

Bicycle Parking Schedule	
Community centre	4 per 1500 m^2 of gross floor area
Health centre	2 per 400m^2 of gross floor area
Indoor recreation facility	1 per 4 employee plus 1 per 200m^2 of gross floor area
Sports ground	10 per 1500 spectator places

Restaurant	1 per 100m^2 of gross floor area
School	1 per 5 pupils over year 4
Shop	1 per 300 m^2
University/ Institute of Tech	1 per 100 full time students

DIVISION 15– Landscaping Code

6.1 Landscaping code

The provisions in this division comprise the Landscaping code. They are-

- compliance with the Landscaping code (section 6.2);
- purpose of the Landscaping code (section 6.3);
- specific outcomes, probable solutions and acceptable solutions for the Landscaping code (section 6.4).

6.2 Compliance with the Landscaping code

Development that achieves the specific outcomes in section 6.4, complies with the Landscaping code.

6.3 Overall outcomes for the Landscaping code

(1) The overall outcomes are the purpose of the code.

(2) The overall outcomes sought for the Landscaping code are to ensure that:

(a) Landscaping enhances the appearance of developments and contributes to an attractive streetscape;

(b) Landscaping buffers provide effective screening;

(c) Landscaping provides shade where required;

(d) Landscaping accommodates the retention of existing significant on-site vegetation;

(e) Landscaping within land to be dedicated to Council or the State shall be a low maintenance variety and does not create a safety risk (thorns, large nuts, poisonous fruits or berries);

(f) Landscaping is designed to prevent the risk of persons being killed or injured by electricity, and to prevent the risk of property being destroyed or damaged by electricity;

(g) Community safety and security are addressed.

6.4 Specific outcomes, probable solutions and acceptable solutions for the Landscaping code

The specific outcomes sought for the Landscaping code are included in column 1 of Table 10 and probable solutions and acceptable solutions in column 2 of Table 10

TABLE 10

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
For Self Assessable and Code Assessable Development			
Landscaping Strips only			
S1 Landscaping strips (such as along road boundaries and around car parking areas) enhance the appearance of the site from the street and is complimentary to the building/s in terms of height of plants.	AS1 The landscaping strips incorporate: (i) shrubs planted (minimum 150 millimetre pots) at a maximum spacing of 750 millimetres; and (ii) palm trees planted (minimum 150 millimetre pots) at a maximum spacing of three (3) metres; OR (iii) trees planted (minimum 150 millimetre pots) at a maximum spacing of six (6) metres.	n/a	Not applicable.
Landscaping Buffers only			
S2 Landscaping buffers must: (i) maximise visual privacy of any adjoining residences; and (ii) minimise light spill and acoustic impacts; and (iii) screen visually obtrusive activities (such as service courts and storage areas); and (iv) soften the appearance of buildings.	AS2 The landscaping buffers incorporate shrubs or palms or trees that: (i) are planted at a maximum spacing of one (1) metre; and (ii) will grow to a height of at least two (2) metres; and (iii) will grow to form a screen of no less than two (2) metres in height.	n/a	Not applicable.
Applicable to All Landscaping			

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
S3 Appropriate plant species are used in landscaping.	AS3 The plant species used in landscaping is to be in accordance with Planning Scheme Policy 9 - Landscaping.	✔	The development will comply.
S4 Landscaping is designed and carried out to ensure ease of maintenance and to ensure success of the landscaping.	AS4.1 Landscaping incorporate automatic, reticulated irrigation systems to water all plants; and AS4.2 Planted areas incorporate a layer of organic mulch; and AS4.3 Landscaping areas adjacent to car parking areas or driveways are protected from motor vehicles by 100 millimetres concrete wheel stops or garden bed edges.	✔	The development will comply.
For Code Assessable Development			
S5 Landscaping retains any vegetation of environmental or aesthetic significance where not affected by the works approved for the development.	AS5 Existing trees greater than five (5) metres in height are retained where located: (i) greater than five (5) metres from the building footprint; and (ii) clear of driveway, car parking areas, storage or services areas	✔	The street trees along the Karobean Drive frontage will be retained.
S6 Where landscaping is to be completed as part of a development or within an area proposed to be under the ownership of Council or the State, including road reserve, enhance the visual amenity of the street , appearance of the site and do not create safety risk to pedestrian or bicyclists,	AS6.1 Landscaping is designed to be low maintenance and the plant varieties chosen do not contain thorns, large nuts, poisonous fruits or berries. (Refer Planning Scheme Policy 9 - Landscaping for guidance)	✔	The development will comply.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	AS6.2 Landscaping in areas adjacent to businesses that require passing trade shall have filtered landscaping, i.e. when mature, the landscaping provides a full screen to approximately one (1) metre in height, and then trees spaced above, seven (7) metres apart ,so that the business can be seen from the street but the development is partly screened. AS6.3 Landscaping in areas not adjacent to businesses that require passing trade shall have full screening of landscaping, i.e. when mature, the landscaping provides a visual block between the street and the development to a height of approximately four (4) metres.		
S7 Electricity lines are protected from encroachment of vegetation.	AS7.1 (i) On land within five (5) metres of the outmost projection on an electricity line, vegetation at maturity does not exceed four (4) metres in height; OR (ii) Vegetation is planted in a position that is further from the nearest edge of the electricity line than its expected maximum height at maturity; AS7.2 Vegetation adjoining an electricity substation boundary, at maturity will be less than four (4)	✔	The development will comply.

Specific Outcomes	Acceptable Solutions (self assessable) or Probable Solutions (code assessable)	Complies	Comments
	metres in height and the foliage will not be within three (3) metres of the substation boundary. Where a substation has a solid wall along any boundary, foliage may extend to that solid wall.		
S8 Landscaping is designed to ensure community safety and security.	AS8 Landscape design incorporates the principles of Crime Prevention Through Environmental design (CPTED)	✔	The development will comply.

6.2.6 Low density residential zone code

6.2.6.1 Application

(1) This code applies to assessing development where:
  (a) located in the Low density residential zone; and
  (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

6.2.6.2 Purpose

(1) The purpose of the Low density residential zone code is to provide for predominantly dwelling houses supported by community uses and small-scale services and facilities that cater for local residents.

(2) Mareeba Shire Council's purpose of the Low density residential zone code is to:
  (a) maintain the integrity of established residential areas, which are characterised primarily by Dwelling houses and Dual occupancy development;
  (b) provide opportunities for other forms of residential development where existing character and amenity will not be compromised; and
  (c) facilitate non-residential development that directly supports the day to day needs of the immediate residential community, in new residential areas.

(3) The purpose of the code will be achieved through the following overall outcomes:
  (a) The dominant form of development is detached dwelling houses, on a range of lot sizes;
  (b) In greenfield areas, in proximity to activity centres, a wider range of higher density residential development may occur where existing low density residential amenity is not compromised;
  (c) High quality Residential care facilities and Retirement facilities are located on larger sites;
  (d) Development provides for an efficient land use pattern and is well connected to other developments;
  (e) Development is designed to provide safe and walkable neighbourhoods that connect residents to desirable destinations including schools, parks, shops and community facilities;
  (f) Development facilitates other small-scale uses that integrate personal employment and residential activities, provided they complement local residential amenity;
  (g) Development maintains a high level of residential amenity avoiding uses that introduce impacts associated with noise, hours of operation, traffic, advertising devices, visual amenity, privacy, lighting, odour and emissions;
  (h) Development reflects and enhances the existing low density scale and character of the area;
  (i) Development is supported by necessary transport infrastructure which is designed to provide and promote safe and efficient public transport use, walking and cycling;
  (j) Development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to meet the needs of the local community;
  (k) Non-residential development may be supported in new residential areas where such uses directly support the day to day needs of the immediate residential community;
  (l) Development takes account of the environmental constraints of the land; and

(m) Any unavoidable impacts are minimised through location, design, operation and management requirements.

6.2.6.3 Criteria for assessment

Table 6.2.6.3A—Low density residential zone code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Height			
PO1 Building height takes into consideration and respects the following: (a) the height of existing buildings on adjoining premises; (b) the development potential, with respect to height, on adjoining premises; (c) the height of buildings in the vicinity of the site; (d) access to sunlight and daylight for the site and adjoining sites; (e) privacy and overlooking; and (f) site area and street frontage length.	**AO1** Development has a maximum building height of: (a) 8.5 metres; and (b) 2 storeys above ground level.	✔	The proposed development has a maximum height of 5 metres and is single storey.
Outbuildings and residential scale			
PO2 Domestic outbuildings: (a) do not dominate the lot on which they are located; and (b) are consistent with the scale and character of development in the Low-density residential zone.	**AO2** Domestic outbuildings do not exceed: (a) 100m^2 in gross floor area; and (b) 5.5 metres in height above natural ground level.	n/a	A domestic outbuilding is not being proposed.
Siting			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO3 Development is sited in a manner that considers and respects: (a) the siting and use of adjoining premises; (b) access to sunlight and daylight for the site and adjoining sites; (c) privacy and overlooking; (d) opportunities for casual surveillance of adjoining public spaces; (e) air circulation and access to natural breezes; and (f) appearance of building bulk; and (g) relationship with road corridors.	**AO3.1** Buildings and structures include a minimum setback of: (a) 6 metres from the primary road frontage; and (b) 3 metres from any secondary road frontage.	n/a	The development will comply with preliminary approval REC/08/0012 – Hastie Road Business Zone code.
	AO3.2 Buildings and structures include a minimum setback of 2 metres from side and rear boundaries.	n/a	The development will comply with preliminary approval REC/08/0012 – Hastie Road Business Zone code.
Accommodation density			
PO4 The density of Accommodation activities: (a) contributes to housing choice and affordability; (b) respects the nature and density of surrounding land use; (c) does not cause amenity impacts beyond the reasonable expectation of accommodation density for the zone; and (d) is commensurate to the scale and frontage of the site.	**AO4** Development provides a maximum density for Accommodation activities in compliance with **Table 6.2.6.3B**.	n/a	The application is not proposing an accommodation activity.
Gross floor area			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO5 Buildings and structures occupy the site in a manner that: (a) makes efficient use of land; (b) is consistent with the bulk and scale of surrounding buildings; and (c) appropriately balances built and natural features.	**AO5** Gross floor area does not exceed 600m^2.	✔	Gross floor area will comply with preliminary approval REC/08/0012 – Hastie Road Business Zone code.
For assessable development			
Building design			
PO6 Building facades are appropriately designed to: (a) include visual interest and architectural variation; (b) maintain and enhance the character of the surrounds; (c) provide opportunities for casual surveillance; (d) include a human scale; and (e) encourage occupation of outdoor space.	**AO6** Buildings include habitable space, pedestrian entrances and recreation space facing the primary road frontage.	✔	The design of the proposed development is consistent with the established Amaroo Village.
PO7 Development complements and integrates with the established built character of the Low density residential zone, having regard to:	**AO7** No acceptable outcome is provided.	✔	The design of the proposed development is consistent with the established Amaroo Village.

Performance outcomes	Acceptable outcomes	Complies	Comments
(a) roof form and pitch; (b) eaves and awnings; (c) building materials, colours and textures; and (d) window and door size and location.			
Non-residential development			
PO8 Non-residential development is only located in new residential areas and: (a) is consistent with the scale of existing development; (b) does not detract from the amenity of nearby residential uses; (c) directly supports the day to day needs of the immediate residential community; and (d) does not impact on the orderly provision of non-residential development in other locations in the shire.	**AO8** No acceptable outcome is provided.	✔	The scale of the proposed development is consistent with preliminary approval REC/08/0012 and the Amaroo Village Master Plan.
Amenity			
PO9 Development must not detract from the amenity of the local area, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	**AO9** No acceptable outcome is provided.	✔	The scale of the proposed development is consistent with preliminary approval REC/08/0012 and the Amaroo Village Master Plan.
PO10	**AO10**	n/a	There are no known negative

Performance outcomes	Acceptable outcomes	Complies	Comments
Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions.	No acceptable outcome is provided.		environmental impacts requiring amelioration.

Table 6.2.6.3B—Maximum densities for Accommodation activities

Use	Maximum density
Dual occupancy	1 dwelling per 400m^2 of site area
Multiple dwelling	(a) 1 dwelling per 400m^2 of site area; and (b) 1 bedroom per 200m^2 of site area.
Residential care facility	1 dwelling or accommodation unit per 250m^2 of site area.
Retirement facility	1 dwelling or accommodation unit per 400m^2 of site area

7.2.2 Mareeba local plan code

7.2.2.1 Application

(1) This code applies to assessing development where:
  (a) located in the Mareeba local plan area; and
  (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

7.2.2.2 Purpose

(1) The purpose of the Mareeba local plan code is to:
  (a) facilitate the continued use of the historic stables area adjacent to the Mareeba Racecourse for residential horse keeping;
  (b) facilitate the continued development of the Mareeba Airport;
  (c) facilitate efficient development that accords with local lifestyle and amenity expectations;
  (d) identify and direct urban growth opportunities;
  (e) facilitate a more vibrant and integrated town centre;
  (f) enhance accessibility to, and activation of, the Barron River and Centenary Lakes as important physical assets for Mareeba;
  (g) enhance Mareeba's heritage and cultural elements; and
  (h) facilitate the development of an appropriate site for special industry.

(2) Ten precincts have been identified in the Mareeba local plan to achieve this purpose:
  (a) The Town centre core precinct will be maintained as the retail and cultural heart of Mareeba. Development will be managed to increase the walkability of the precinct and better integrate the street and built environments. Character elements of the precinct will be maintained and new buildings or works to existing buildings will be respectful of character values.
  (b) The Town centre fringe precinct consists of commercial and residential uses. The precinct will facilitate destination specific commercial development where it can be demonstrated that design measures can be incorporated to adequately mitigate any impacts upon residential amenity. The precinct will not detract from the role of the Town centre core precinct as the town's primary retail and commercial precinct.
  (c) The Mareeba Airport precinct includes the existing airport facilities and an area on the south west side of the runway that is intended to be development for aviation based industry. The precinct will facilitate the continuing development of the Mareeba Airport, for passenger and freight movements, and other activities associated with the airport's primary function including industry, where it is demonstrated that these uses do not compromise efficient aircraft operation.
  (d) The Mareeba northern investigation precinct is intended to support long term future urban development beyond the life of the planning scheme. Development in this precinct (particularly subdivision) is limited so that the future urban intent is not compromised.
  (e) The Mareeba north-eastern expansion precinct, the Mareeba south-eastern expansion precinct and the Mareeba south-western expansion precinct are intended for urban residential development. These precincts are constrained by a range of important features including slopes, gullies, watercourses, open space and riparian linkages and the Mareeba Bypass. Development in these precincts preserves and enhances these features while supporting the development of a walkable and well connected transport network. Development in the Mareeba north-eastern expansion

precinct supports the construction of a new bridge over the Barron River connecting Hastie Road with Lloyd Street to enable greater access to the town centre while small scale local centres are encouraged in the Mareeba south-western expansion precinct.

(f) The Stable precinct defines an established area of residential properties incorporating horse stables adjoining the Mareeba Racecourse. The precinct is intended to protect the ongoing use of the stables on these properties, in association with residential uses.

(g) The Industrial park precinct provides for the expansion, establishment and operation of General industry and Heavy industry uses within this precinct, where they are appropriately separated from incompatible uses.

(h) The Noxious and hazardous industry precinct provides for the expansion, establishment and relatively unconstrained operation of Special industry in the precinct where the use is sufficiently isolated from other land uses and potential on and off site impacts can be adequately managed. Uses other than Special industry and High impact industry should not occur in this precinct in order to prevent compromising the intended function of the precinct.

(3) The purpose of the code will be achieved through the following overall outcomes:

(a) Development recognises and protects the town centre as Mareeba's most important commercial and social asset that is supported by substantial public and private investment in buildings, infrastructure and culture;

(b) Development within the Town centre core precinct promotes greater walkability and integration between street and built environments through the consolidation and effective design of retail and commercial facilities;

(c) Development within the Town centre fringe precinct, accommodates destination-specific premises that requires car and service vehicle access;

(d) Development provides opportunities for greater utilisation of, and improved public access to, the Barron River and open spaces;

(e) Development protects Mareeba's heritage places and tourist and cultural assets and enhances opportunities for their public appreciation;

(f) Development facilitates the continuing growth of the Mareeba Airport for passenger and freight movements and industry associated with the airport's primary function. Activities in the Mareeba Airport precinct will be limited to ensure they do not compromise efficient aircraft operation;

(g) Development in the Stable precinct facilitates the combination of stables and houses whilst maintaining a low density to minimise impacts;

(h) Development provides for the expansion, establishment and relatively unconstrained operation of Special industry in the Noxious and hazardous industry precinct; and

(i) The establishment and operation of a range of industries in the Industrial park precinct is supported.

7.2.2.3 Criteria for assessment

Table 7.2.2.3—Mareeba local plan - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
If affected by the vegetated buffer area element			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO1 Industrial development is appropriately screened from view to minimise impacts on the: (a) visual amenity and character of the local plan area; and (b) amenity of nearby land uses.	**AO1** A minimum 5 metre wide vegetated buffer area is provided in all areas of the site affected by the vegetated buffer element.	n/a	Not applicable.
If in the Stable precinct			
PO2 Development facilitates the co-location of houses and stables while maintaining an appropriate level of amenity, having regard to emissions of: (a) noise; (b) odour; and (c) light	**AO2** Stables house no more than 10 animals and are: (a) separated by a minimum distance of 3 metres from any residential building on the same site; (b) separated by a minimum distance of 5 metres from any residential building on an adjoining site; and (c) setback a minimum of 6 metres from any road frontage.	n/a	Not applicable.
If on a site with a frontage to the Byrnes Street core element			
PO3 Development with a frontage to the Byrnes Street core element is designed to minimise the dominance of vehicular access within the streetscape by: (a) providing vehicular access from an alternative frontage; (b) minimising the size of necessary vehicle access; and (c) maximising the area of the frontage used	**AO3.1** Where development has a frontage to the Byrnes Street core element, buildings are built to side boundaries, except for pedestrian access-ways and where alternative vehicular access is not available. In such instances, vehicular and pedestrian access-ways are not wider than 7 metres. Note—Refer to Figure A for further detail.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
for pedestrian focussed activities.	**AO3.2** Vehicular access is not provided from Byrnes Street where a site has more than one frontage.	n/a	Not applicable.
If on a site affected by the Town centre fringe 6 metre setback element			
PO4 Larger destination-specific premises that require increased provision for car and service vehicle access are supported where it can be demonstrated that sufficient separation is provided between the use and adjoining residential uses to adequately mitigate any potential impacts on the amenity of adjoining premises, having regard to: (a) noise; (b) odour; (c) light; and (d) overlooking and privacy.	**AO4** Buildings and structures are setback a minimum of 6 metres from the boundary affected by the Town centre fringe 6 metre setback element.	n/a	Not applicable.
If in the Town centre fringe precinct			
PO5 Development's address to the primary street frontage ensures: (a) car parking areas are not a dominant feature; and (b) sources of visual interest and casual surveillance of the street frontage are provided.	**AO5.1** No more than 50% of car parking is to be located between the building and the primary street frontage.	n/a	Not applicable.
	AO5.2 Buildings include uses that orientated toward the primary street frontage with entrances and windows addressing the street.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
For assessable development			
PO6 Development in the Mareeba local plan area: (a) promotes and does not prejudice the ongoing operation of Mareeba as the major regional activity centre of the Shire; (b) provides growth or redevelopment in areas within close proximity to the Town centre core precinct; (c) locates Community facilities in accessible locations within walking distance of the Town centre core precinct; and (d) contributes to the vibrancy and local identity of the Mareeba community.	**AO6** No acceptable outcome is provided.	✔	The development complies with preliminary approval REC/08/0012 – Hastie Road Business Zone code.
PO7 Development does prejudice the future construction of the Mareeba Bypass.	**AO7** Development involving permanent buildings or structures does not occur on land affected by the Mareeba bypass element.	n/a	Not applicable.
PO8 Development integrates the following elements identified on the Mareeba local plan maps: (a) open space elements; (b) indicative collector roads as higher order road linkages; (c) indicative minor roads in a similar design as shown as mapped; and (d) possible connections as important road linkages between developments.	**AO8** No acceptable outcome is provided.	n/a	Not applicable.

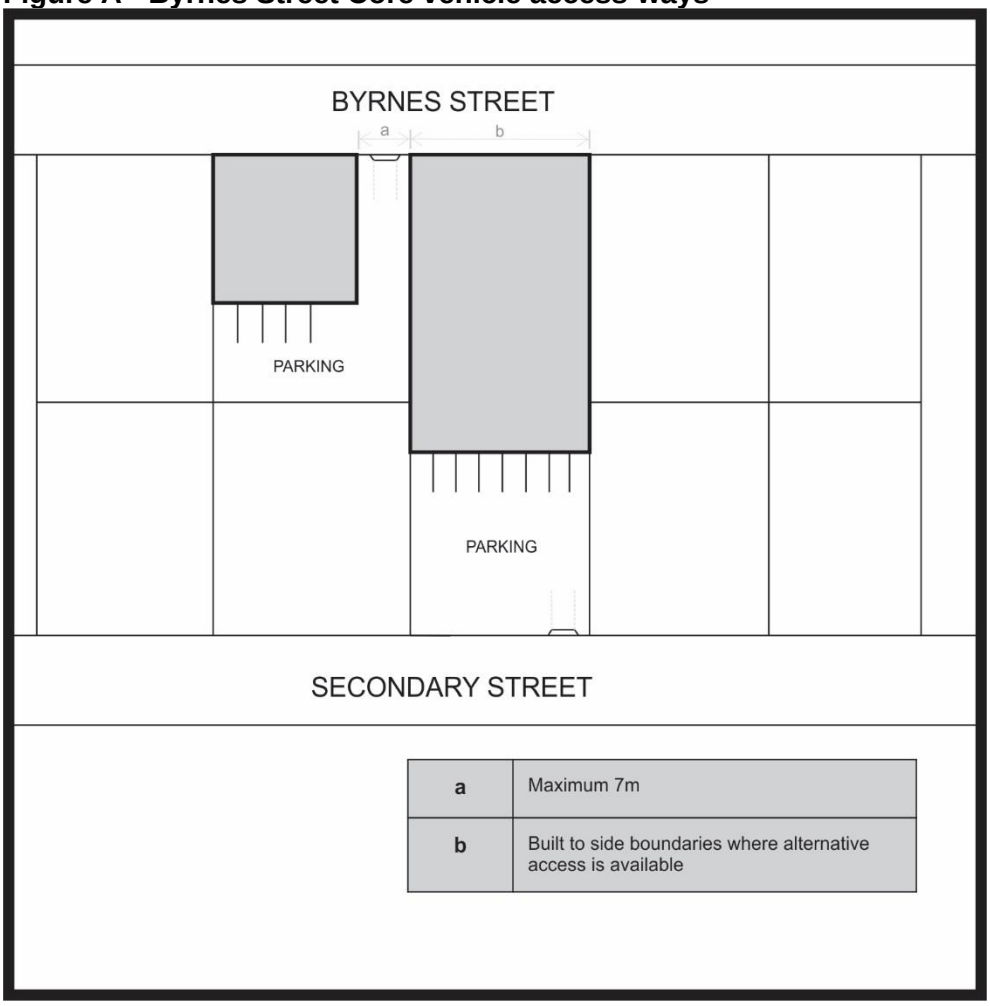
Performance outcomes	Acceptable outcomes	Complies	Comments
PO9 Development integrates small-scale local retail centres that: (a) service the local neighbourhood; and (b) do not prejudice the ongoing operation of the Mareeba town centre.	**AO9** No acceptable outcome is provided.	✔	The development complies. The local plan identifies retail on the subject site.
If in the Stable precinct			
PO10 Development does not involve a density of residential development that is likely to prejudice the ongoing use of land within the precinct for stables, having regard to the existing level of amenity.	**AO10.1** Development does not result in a higher accommodation density than currently exists.	n/a	Not applicable.
	AO10.2 Development does not result in the creation of any new lots.	n/a	Not applicable.
If in the Mareeba Airport precinct			
PO11 Development does not prejudice the ongoing operations or future development intentions of the Mareeba Airport.	**AO11** Development is limited to activities which have a direct associated with aviation.	n/a	Not applicable.
If in the Town centre core precinct			
PO12 Development is to be of a scale and form which complements the character of the precinct, having regard to: (a) building location; (b) building height; (c) interface with the street; and (d) scale of windows, doors and structural elements	**AO12** No acceptable outcome is provided.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 The character and style of buildings in the main street, including those representing the booming tobacco period of the 1950's and 1960's is maintained and protected.	**AO13.1** Buildings are re-used for new uses without alteration to their : (a) height; (b) width (at street frontage); (c) vertical or horizontal patterning; and (d) materials. Note—Refer to Planning Scheme Policy 1 – Character Area Design Guidelines for additional guidance in relation to the development outcomes sought.	n/a	Not applicable.
	AO13.2 Development on sites identified as building façade to be retained that retains the external (street facing) facade(s) of the building will qualify for a 10% reduction on car parking.	n/a	Not applicable.
If in the Town centre fringe precinct			
PO14 Development does not undermine the role of the Town centre core precinct as Mareeba's primary retail and commercial precinct.	**AO14** No acceptable outcome is provided.	n/a	Not applicable.
If in the Noxious and hazardous industry precinct			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO15 Appropriate provision is made for siting, managing and buffering uses in the Noxious and hazardous industry precinct to limit impacts on adjoining properties, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) advertising devices; (e) visual amenity; (f) privacy; (g) lighting; (h) odour; and (i) emissions. Note—A facility management plan can be prepared to demonstrate that the ongoing operation of the use will maintain compliance with this outcome.	**AO15** No acceptable outcome is provided.	n/a	Not applicable.
If in the Industrial park precinct			
PO16 Development that attracts the public into the Industrial park precinct does not develop within the Industrial park precinct.	**AO16** No acceptable outcome is provided.	n/a	Not applicable.
If in the Northern investigation precinct			
PO17 Development does not compromise the long term future urban intent of this precinct.	**AO17** No acceptable outcome is provided.	n/a	Not applicable.
If in the North-eastern expansion precinct, South-eastern expansion precinct or South-western expansion precinct			
PO18 Development provides an average net accommodation density of at least 12 dwellings or accommodation units per hectare. Note—Calculation of accommodation density excludes areas not developed as a result of provisions of an overlay.	**AO18** No acceptable outcome is provided.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO19 Development provides a wide range of housing options, including different dwelling sizes and types that meet the needs of a range of household compositions.	**AO19** No acceptable outcome is provided.	n/a	Not applicable.
PO20 The road network is to be developed in a logical and sequential manner to provide for the co-ordinated development of the precinct.	**AO20** No acceptable outcome is provided.	n/a	Not applicable.
PO21 The road network provides encourages walking and cycling to daily activities to reduce local vehicle trips by: (a) being based on a street grid network; (b) having walkable block sizes; (c) providing safe, efficient and provides for the needs of all users; (d) having a high level of connectivity for all users; and (e) being linked to destinations such as shops, open space and schools.	**AO21** No acceptable outcome is provided.	n/a	Not applicable.

Figure A - Byrnes Street Core vehicle access-ways



a	Maximum 7m
b	Built to side boundaries where alternative access is available

8.2.2 Airport environs overlay code

8.2.2.1 Application

(1) This code applies to assessing development where:
  (a) land the subject of development is affected by a constraint category identified on the **Airport environs overlay maps (OM-002a-f)**; and
  (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

Note—Strategic airports and aviation facilities are appropriately reflected in Overlay Map 2 and is required to be mapped by State Government in response to Infrastructure State Interests.

8.2.2.2 Purpose

(1) The purpose of the Airport environs overlay code is to protect the current and ongoing operations of established airports, aerodromes and aviation infrastructure in Mareeba Shire.

(2) The purpose of the code will be achieved through the following overall outcomes:
  (a) The ongoing operation of Mareeba Airport and its associated infrastructure are protected from incompatible development;
  (b) Aerodromes in Chillagoe and Dimbulah are maintained to support recreation, mining and rural uses;
  (c) Operational airspace is protected;
  (d) Threats to aviation safety such as bird and bat strike and distraction or blinding of pilots are avoided or minimised;
  (e) State significant aviation facilities associated with the Mareeba Airport are protected from encroachment by sensitive land uses; and
  (f) Development in the vicinity of airports, aerodromes and aviation infrastructure does not compromise public safety.

8.2.2.3 Criteria for assessment

Table 8.2.2.3 - Airport environs overlay code - For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Protection of operational airspace			
PO1 Development does not interfere with movement of aircraft or the safe operation of an airport or aerodrome where within the: (a) Airport environs: OLS area of Mareeba Airport identified on **Airport environs overlay map (OM-002c)**; or (b) Airport environs: OLS area of Cairns Airport identified on **Airport environs overlay map (OM-002c.1)**; or (c) 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on **Airport environs overlay map (OM-002f)**; or (d) 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on **Airport environs overlay map (OM-002f)**.	**AO1.1** Development does not exceed the height of the Obstacle Limitation Surface (OLS) where located within the Airport environs: OLS area of: (a) Mareeba Airport identified on **Airport environs overlay map (OM-002c)**; or (b) Cairns Airport identified on **Airport environs overlay map (OM-002c.1)**.	✔	The subject site is not within the Mareeba Airport OLS.
	AO1.2 Development has a maximum height of 10 metres where within the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on **Airport environs overlay map (OM-002f)**.	n/a	Not applicable.
	AO1.3 Development has a maximum height of 15 metres where within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on **Airport environs overlay map (OM-002f)**.	n/a	Not applicable.
Lighting			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO2 Development does not include lighting that: (a) has the potential to impact on the efficient and safe operation of Mareeba Airport or an aerodrome; or (b) could distract or confuse pilots.	**AO2** Development within the 'Airport environs: Distance from airport - 6 kilometres' area for Mareeba Airport identified on **Airport environs overlay map (OM-002b)** or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on **Airport environs overlay map (OM-002f)** does not: (a) involve external lighting, including street lighting, that creates straight parallel lines of lighting that are more than 500 metres long; and (b) does not contain reflective cladding upwards shining lights, flashing lights or sodium lights.	n/a	Not applicable.
Noise exposure			
PO3 Development not directly associated with Mareeba Airport is protected from aircraft noise levels that may cause harm or undue interference.	**AO3** Sensitive land uses are acoustically insulated to at least the minimum standards specified by AS2021 Acoustics - Aircraft Noise Intrusion - Building Siting and Construction where located within the 'Airport environs: 20-25 ANEF' area identified on **Airport environs overlay map (OM-002d)**.	n/a	The subject site is not within the Airport environs: 20-25 ANEF area.
Public safety			
PO4 Development does not compromise public safety or risk to property.	**AO4** Development is not located within the 'Airport environs: Mareeba Airport public safety area' identified on **Airport environs overlay map (OM-002e)**.	n/a	The subject site is not within the Airport environs: Mareeba Airport public safety area.
State significant aviation facilities associated with Mareeba Airport			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO5 Development does not impair the function of state significant aviation facilities by creating: (a) physical obstructions; or (b) electrical or electro-magnetic interference; or (c) deflection of signals.	**AO5.1** Development within 'Airport environs: Zone B (600 metre buffer)' for the 'Saddle Mountain VHF' facility identified on **Airport environs overlay map (OM-002a.1)** does not exceed a height of 640 metres AHD.	n/a	Not applicable.
	AO5.2 Development within 'Airport environs: Zone B (4,000 metre buffer)' for the 'Hahn Tableland Radar (RSR)' facility identified on **Airport environs overlay map (OM-002a)** does not exceed a height of 950 metres AHD, unless associated with Hann Tableland Radar facility.	n/a	Not applicable.
	AO5.3 Building work does not occur within 'Airport environs: Zone A (200 metre buffer)' of the 'Biboohra CVOR' facility identified on **Airport environs overlay map (OM-002a)** unless associated with the Biboohra CVOR facility.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO5.4 Development within 'Airport environs: Zone B (1,500 metre buffer)' of the 'Biboohra CVOR' facility identified on **Airport environs overlay map (OM-002a)**, but outside 'Zone A (200 metre buffer)' identified on **Airport environs overlay map (OM-002a)**, does not include: (a) the creation of a permanent or temporary physical line of sight obstruction above 13 metres in height; or (b) overhead power lines exceeding 5 metres in height; or (c) metallic structures exceeding 7.5 metres in height; or (d) trees and open lattice towers exceeding 10 metres in height; or (e) wooden structures exceeding 13 metres in height.	n/a	Not applicable.
For assessable development			
Mareeba Airport			
Protection of operational airspace			
PO6 Development within the vicinity of Mareeba Airport or an aerodrome does not interfere with the: (a) movement of aircraft; or (b) safe operation of the airport or facility.	**AO6.1** Development involving sporting and recreational aviation activities such as parachuting, hot air ballooning or hang gliding, does not occur within the Airport environs: OLS area of: (a) Mareeba Airport identified on **Airport environs overlay map (OM-002c)**; or (b) Cairns Airport identified on **Airport environs overlay map (OM-002c.1)**.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO6.2 Development involving temporary or permanent aviation activities does not occur within the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on **Airport environs overlay map (OM-002f)**.	n/a	Not applicable.
PO7 Development does not affect air turbulence, visibility or engine operation in the operational airspace of Mareeba Airport or regional aerodromes.	**AO7** Development does not result in the emission of a gaseous plume, at a velocity exceeding 4.3 metres per second, or smoke, dust, ash or steam within: (a) the Airport environs: OLS area of Mareeba Airport identified on **Airport environs overlay map (OM-002c)**; or (b) the Airport environs: OLS area of Cairns Airport identified on **Airport environs overlay map (OM-002c.1)**; or (c) the 'Airport environs: Airport buffer - 1 kilometre' of a regional aerodrome identified on **Airport environs overlay map (OM-002f)**.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
Managing bird and bat strike hazard to aircraft			
PO8 Development in the environs of Mareeba Airport or an aerodrome does not contribute to the potentially serious hazard from wildlife (bird or bat) strike.	**AO8.1** Development within the 'Airport environs: Distance from airport - 8 kilometres' Bird and bat strike zone of Mareeba Airport identified on **Airport environs overlay map (OM-002b)** or the 'Airport environs: Airport buffer - 3 kilometres' of an aerodrome identified on **Airport environs overlay map (OM-002f)** provides that potential food and waste sources are covered and collected so that they are not accessible to wildlife.	n/a	Not applicable.
	AO8.2 Development within the 'Airport environs: Distance from airport - 3 kilometres' Bird and bat strike zone of Mareeba Airport identified on **Airport environs overlay map (OM-002b)** or the 'Airport environs: Airport buffer - 1 kilometre' of an aerodrome identified on **Airport environs overlay map (OM-002f)** does not include: (a) food processing; or (b) abattoir; or (c) intensive horticulture; or (d) intensive animal husbandry; or (e) garden centre; or (f) aquaculture.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO8.3 Putrescible waste disposal sites do not occur within the 'Airport environs: Distance from airport - 13 kilometres' Bird and bat strike zone of: (a) Mareeba Airport identified on **Airport environs overlay map (OM-002b)**; or (b) Cairns Airport identified on **Airport environs overlay map (OM-002b.1)**.	✔	The application is not proposing putrescible waste disposal.

9.3.2 Commercial activities code

9.3.2.1 Application

(1) This code applies to assessing development where:
  (a) involving Commercial activities; and
  (b) it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

9.3.2.2 Purpose

(1) The purpose of the Commercial activities code is to ensure Commercial activities are appropriately located, designed and operated to service the Shire while not impacting on the character and amenity of the area.

(2) The purpose of the code will be achieved through the following overall outcomes:
  (a) Commercial activities meet the needs of the local community, visitors and tourists through safe, accessible and convenient points of service;
  (b) Commercial activities have minimal impacts on the natural environment or the environmental values of the area;
  (c) Commercial activities reinforce and do not prejudice the role and function of established or designated centres;
  (d) Commercial activities minimise impacts on the character and amenity of the surrounding area and surrounding land uses, particularly residential uses; and
  (e) Commercial activities do not compromise the viability of the hierarchy and network of centres, namely:
    (i) Mareeba as a major regional activity centre, which accommodates the most significant concentrations of regional-scale business, retail, entertainment, government administration, secondary and tertiary educational facilities and health and social services within the shire;
    (ii) Kuranda as a village activity centre, which accommodates services, arts and cultural facilities, sports and recreation facilities, business and employment uses to support the village and its constituent surrounding rural and rural residential communities;
    (iii) Chillagoe and Dimbulah as Rural activity centres, which provide commercial and community services to their rural catchments; and
    (iv) Biboohra, Irvinebank, Julatten, Koah, Mutchilba, Mt Molloy, Myola and Speewah as rural villages, that have limited centre activities and other non-residential activities.

9.3.2.3 Criteria for assessment

Table 9.3.2.3—Commercial activities code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
PO1 Buildings are finished with high quality materials, selected for their durability and contribution to the character of the area.	**AO1** Building design does not incorporate: (a) highly reflective materials such as high performance glass or untreated galvanised metals; or (b) unrelieved, unpainted or un-rendered finishes; or (c) unarticulated concrete finishes; or (d) unarticulated cladding systems; or (e) fluorescent or iridescent paints; or (f) use of single colour or surface treatment.	✔	The development will comply.
If for Sales office			
PO2 A Sales office is compatible with the built form, character and amenity of the surrounding area, having regard to: (a) duration of use; (b) size and scale; (c) intensity and nature of use; (d) number of employees; and (e) hours of operation.	**AO2.1** The Sales office is limited in its duration to a period not greater than: (a) 2 years, where involving selling or displaying land or buildings (including a dwelling house, multiple dwelling, commercial or industrial buildings); or (b) 6 months, where involving land or buildings that can be won as a prize.	n/a	Not applicable.
	AO2.2 The Sales office does not exceed 100m^2 gross floor area. Note—The Sales office may be located within part of a Dwelling house, Dual occupancy or Multiple dwelling for sale or that can be won as a prize.	n/a	Not applicable.
	AO2.3 No more than 3 employees work within the sales office at any one time.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO2.4 The Sales office does not operate outside the hours of 8.00am to 6.00pm.	n/a	Not applicable.
PO3 A Sales office is located to be accessible to visitors.	**PO3** The Sales office is established at the entrance to: (a) the estate or stage of the estate where involving multiple properties or dwellings; or (b) the building or land where involving a single property or dwelling.	n/a	Not applicable.
For assessable development			
Visual amenity and character			
PO4 Commercial activities protect and enhance the character and amenity of the locality and streetscape through the appropriate location and screening of: (a) air conditioning; (b) refrigeration plant; (c) mechanical plant; and (d) refuse bin storage areas.	**AO4** No acceptable outcome is provided.	✔	The development will be conditioned to comply.
Location and size			
PO5 Commercial activities are located and designed: (a) to be commensurate to the scale and nature of land uses located and intended to be located in the immediate vicinity; and (b) consistent with the intent of the activity centre hierarchy for Mareeba Shire.	**AO5** No acceptable outcome is provided.	✔	The proposed development is consistent with preliminary approval REC/08/0012 – Hastie Road Business Zone code.
If for Service station or Car wash			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO6 The site is of a suitable size, shape and configuration to accommodate all aspects of the use, such as: (a) the building/s and associated storage areas; (b) any ancillary activities; (c) fuel delivery and service vehicles; (d) vehicle access and on site manoeuvrability; and (e) landscaping.	**AO6.1** The site has a: (a) minimum area of 1500m^2; and (b) minimum frontage of: (i) 30 metres to each road where the site is a corner site; or (ii) 40 metres otherwise.	n/a	Not applicable.
	AO6.2 Bulk fuel storage tanks are situated on the site no closer than 8 metres to any road frontage.	n/a	Not applicable.
	AO6.3 Bulk fuel storage tanks are situated on the site: (a) so that fuel delivery vehicles are standing wholly within the site when discharging fuel into the tanks; and (b) ensuring that the movement of other vehicles on the site is not restricted when fuel delivery occurs.	n/a	Not applicable.
	AO6.4 Fuel pumps, car wash bays and facilities including air and water points are: (a) orientated to minimise vehicle conflicts associated with manoeuvring on site; and (b) located so that vehicles using or waiting to use the facilities are standing wholly within the site and in locations which do not restrict the movement of other vehicles on the site.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO7 The use must provide for the collection, treatment and disposal of all solid and liquid wastes such that: (a) the off-site release of contaminants does not occur; and (b) there are no significant adverse impacts on the quality of surface water or ground water resources.	**AO7** No acceptable outcome is provided.	n/a	Not applicable.

9.4.5 Works, services and infrastructure code

9.4.5.1 Application

(1) This code applies to assessing development where it is identified in the assessment benchmarks for assessable development and requirements for accepted development column of an assessment table in Part 5 of the planning scheme.

9.4.5.2 Purpose

(1) The purpose of the Works, services and infrastructure code is to ensure that all development is appropriately serviced by physical infrastructure, public utilities and services and that work associated with development is carried out in a manner that does not adversely impact on the surrounding area.

(2) The purpose of the code will be achieved through the following overall outcomes:
- (a) Development provides an adequate, safe and reliable supply of potable, fire-fighting and general use water in accordance with relevant standards;
- (b) Development provides for the treatment and disposal of wastewater and ensures there are no adverse impacts on water quality, public health, local amenity or ecological processes;
- (c) Development provides for the disposal of stormwater and ensures that there are no adverse impacts on water quality or ecological processes;
- (d) Development connects to the road network and any adjoining public transport, pedestrian and cycle networks while ensuring no adverse impacts on the safe, convenient and efficient operation of these networks;
- (e) Development provides electricity and telecommunications services that meet its desired requirements;
- (f) Development is connected to a nearby electricity network with adequate capacity without significant environment, social or amenity impact;
- (g) Development does not affect the efficient functioning of public utility mains, services or installations;
- (h) Infrastructure dedicated to Council is cost effective over its life cycle;
- (i) Work associated with development does not cause adverse impacts on the surrounding area; and
- (j) Development prevents the spread of weeds, seeds or other pests.

9.4.5.3 Criteria for assessment

Table 9.4.5.3 - Works, services and infrastructure code – For accepted development subject to requirements and assessable development

Performance outcomes	Acceptable outcomes	Complies	Comments
For accepted development subject to requirements and assessable development			
Water supply			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO1 Each lot has an adequate volume and supply of water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	**AO1.1** Development is connected to a reticulated water supply system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated water supply service area.	✔	The subject site and proposed development will be serviced by the Mareeba reticulated water supply system.
	AO1.2 Development, where located outside a reticulated water supply service area and in the Conservation zone, Rural zone or Rural residential zone is provided with: (a) a bore or bores are provided in accordance with the Design Guidelines set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; or (b) on-site water storage tank/s: (i) with a minimum capacity of 90,000L; (ii) fitted with a 50mm ball valve with a camlock fitting; and (iii) which are installed and connected prior to the occupation or use of the development.	n/a	Not applicable.
Wastewater disposal			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO2 Each lot provides for the treatment and disposal of effluent and other waste water that: (a) meets the needs of users; (b) is adequate for fire-fighting purposes; (c) ensures the health, safety and convenience of the community; and (d) minimises adverse impacts on the receiving environment.	**AO2.1** Development is connected to a reticulated sewerage system in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual other than where located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	✔	The subject site and proposed development will be serviced by the Mareeba reticulated sewerage system.
	AO2.2 An effluent disposal system is provided in accordance with ASNZ 1547 On-Site Domestic Wastewater Management (as amended) where development is located: (a) in the Conservation zone, Rural zone or Rural residential zone; and (b) outside a reticulated sewerage service area.	n/a	Not applicable.
Stormwater infrastructure			
PO3 Stormwater infrastructure is designed and constructed to collect and convey the design storm event to a lawful point of discharge in a manner that mitigates impacts on life and property.	**AO3.1** Where located within a Priority infrastructure area or where stormwater infrastructure is available, development is connected to Council's stormwater network in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✔	The development will be conditioned to comply.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO3.2 On-site drainage systems are constructed: (a) to convey stormwater from the premises to a lawful point of discharge; and (b) in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✔	The development will be conditioned to comply.
Electricity supply			
PO4 Each lot is provided with an adequate supply of electricity	**AO4** The premises: (a) is connected to the electricity supply network; or (b) has arranged a connection to the transmission grid; or (c) where not connected to the network, an independent energy system with sufficient capacity to service the development (at near average energy demands associated with the use) may be provided as an alternative to reticulated electricity where: (i) it is approved by the relevant regulatory authority; and (ii) it can be demonstrated that no air or noise emissions; and (iii) it can be demonstrated that no adverse impact on visual amenity will occur.	✔	The subject site is connected to the electricity supply network.
Telecommunications infrastructure			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO5 Each lot is provided with an adequate supply of telecommunication infrastructure	**AO5** Development is provided with a connection to the national broadband network or telecommunication services.	✔	Wireless NBN is available in Amaroo Estate.
Existing public utility services			
PO6 Development and associated works do not affect the efficient functioning of public utility mains, services or installations.	**AO6** Public utility mains, services are relocated, altered or repaired in association with the works so that they continue to function and satisfy the relevant Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✔	The development will be conditioned to comply.
Excavation or filling			
PO7 Excavation or filling must not have an adverse impact on the: (a) streetscape; (b) scenic amenity; (c) environmental values; (d) slope stability; (e) accessibility; or (f) privacy of adjoining premises.	**AO7.1** Excavation or filling does not occur within 1.5 metres of any site boundary.	n/a	Not applicable.
	AO7.2 Excavation or filling at any point on a lot is to be no greater than 1.5 metres above or below natural ground level.	n/a	Not applicable.
	AO7.3 Earthworks batters: (a) are no greater than 1.5 metres in height; (b) are stepped with a minimum width 2 metre berm; (c) do not exceed a maximum of two batters and two berms (not greater than 3.6 metres in total height) on any one lot; (d) have a slope no greater than 1 in 4; and (e) are retained.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO7.4 Soil used for filling or spoil from excavation is not stockpiled in locations that can be viewed from: (a) adjoining premises; or (b) a road frontage, for a period exceeding 1 month from the commencement of the filling or excavation.	n/a	Not applicable.
	AO7.5 All batters and berms to be constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	n/a	Not applicable.
	AO7.6 Retaining walls have a maximum height of 1.5 metres and are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
	AO7.7 Excavation or filling at any point on a lot is to include measures that protect trees at the foot or top of cut or fill batters by the use of appropriate retaining methods and sensitive earth removal or placement and in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
For assessable development			
Transport network			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO8 The development has access to a transport network of adequate standard to provide for the safe and efficient movement of vehicles, pedestrians and cyclists.	**AO8.1** Vehicle access, crossovers, road geometry, pavement, utilities and landscaping to the frontage/s of the site are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	✔	Access to the proposed development will be via the existing approved crossover to Amaroo Village.
	AO8.2 Development provides footpath pavement treatments in accordance with Planning Scheme Policy 9 – Footpath Paving.	n/a	Not applicable.
Public infrastructure			
PO9 The design, construction and provision of any infrastructure that is to be dedicated to Council is cost effective over its life cycle and incorporates provisions to minimise adverse impacts.	**AO9** Development is in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual.	✔	The development will be conditioned to comply.
Stormwater quality			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO10 Development has a non-worsening effect on the site and surrounding land and is designed to: (a) optimise the interception, retention and removal of waterborne pollutants, prior to the discharge to receiving waters; (b) protect the environmental values of waterbodies affected by the development, including upstream, on-site and downstream waterbodies; (c) achieve specified water quality objectives; (d) minimise flooding; (e) maximise the use of natural channel design principles; (f) maximise community benefit; and (g) minimise risk to public safety.	**AO10.1** The following reporting is prepared for all Material change of use or Reconfiguring a lot proposals: (a) a Stormwater Management Plan and Report that meets or exceeds the standards of design and construction set out in the Queensland Urban Drainage Manual (QUDM) and the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development Manual; and (b) an Erosion and Sediment Control Plan that meets or exceeds the Soil Erosion and Sedimentation Control Guidelines (Institute of Engineers Australia), including: (i) drainage control; (ii) erosion control; (iii) sediment control; and (iv) water quality outcomes.	✔	Stormwater will be discharged into the existing stormwater network.

Performance outcomes	Acceptable outcomes	Complies	Comments
	AO10.2 For development on land greater than 2,500m^2 or that result in more than 5 lots or more than 5 dwellings or accommodation units, a Stormwater Quality Management Plan and Report prepared and certified by a suitably qualified design engineer (RPEQ) is prepared that demonstrates that the development: (a) meets or exceeds the standards of design and construction set out in the Urban Stormwater Quality Planning Guideline and the Queensland Water Quality Guideline; (b) is consistent with any local area stormwater water management planning; (c) accounts for development type, construction phase, local climatic conditions and design objectives; and (d) provides for stormwater quality treatment measures reflecting land use constraints, such as soil type, landscape features (including landform), nutrient hazardous areas, acid sulfate soil and rainfall erosivity.	✔	Stormwater will be discharged into the existing stormwater network.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO11 Storage areas for stormwater detention and retention: (a) protect or enhance the environmental values of receiving waters; (b) achieve specified water quality objectives; (c) where possible, provide for recreational use; (d) maximise community benefit; and (e) minimise risk to public safety.	**AO11** No acceptable outcome is provided.	✔	Stormwater will be discharged into the existing stormwater network.
Excavation or filling			
PO12 Traffic generated by filling or excavation does not impact on the amenity of the surrounding area.	**AO12.1** Haul routes used for transportation of fill to or from the site only use major roads and avoid residential areas.	n/a	Not applicable.
	AO12.2 Transportation of fill to or from the site does not occur: (a) within peak traffic times; and (b) before 7am or after 6pm Monday to Friday; (c) before 7am or after 1pm Saturdays; and (d) on Sundays or Public Holidays.	n/a	Not applicable.

Performance outcomes	Acceptable outcomes	Complies	Comments
PO13 Air pollutants, dust and sediment particles from excavation or filling, do not cause significant environmental harm or nuisance impacts.	**AO13.1** Dust emissions do not extend beyond the boundary of the site.	n/a	Not applicable.
	AO13.2 No other air pollutants, including odours, are detectable at the boundary of the site.	n/a	Not applicable.
	AO13.3 A management plan for control of dust and air pollutants is prepared and implemented.	n/a	Not applicable.
PO14 Access to the premises (including driveways and paths) does not have an adverse impact on: (a) safety; (b) drainage; (c) visual amenity; and (d) privacy of adjoining premises.	**AO14** Access to the premises (including all works associated with the access): (a) must follow as close as possible to the existing contours; (b) be contained within the premises and not the road reserve, and (c) are designed and constructed in accordance with the Design Guidelines and Specifications set out in the Planning Scheme Policy 4 – FNQROC Regional Development manual.	n/a	Not applicable.
Weed and pest management			
PO15 Development prevents the spread of weeds, seeds or other pests into clean areas or away from infested areas.	**AO15** No acceptable outcome is provided.	✔	The development will comply.
Contaminated land			

Performance outcomes	Acceptable outcomes	Complies	Comments
PO16 Development is located and designed to ensure that users and nearby sensitive land uses are not exposed to unacceptable levels of contaminants	**AO16** Development is located where: (a) soils are not contaminated by pollutants which represent a health or safety risk to users; or (b) contaminated soils are remediated prior to plan sealing, operational works permit, or issuing of building works permit.	✔	The subject site in not a known or suspected contaminated site.
Fire services in developments accessed by common private title			
PO17 Fire hydrants are located in positions that will enable fire services to access water safely, effectively and efficiently.	**AO17.1** Fire hydrants are located in accessways or private roads held in common private title at a maximum spacing of: (a) 120 metres for residential development; and (b) 90 metres for any other development.	n/a	Not applicable.
	AO17.2 Fire hydrants are located at all intersections of accessways or private roads held in common private title.	n/a	Not applicable.